

House Daily Reader

Saturday, February 05, 2005

[illegible]

State of South Dakota

EIGHTIETH SESSION
LEGISLATIVE ASSEMBLY, 2005

264L0557

HOUSE STATE AFFAIRS COMMITTEE ENGROSSED

NO. **HB 1139** - 02/02/2005

Introduced by: Representatives McLaughlin, Buckingham, Cutler, Frysliie, Halverson, Hanks, Murschel, Pederson (Gordon), and Rave and Senators Sutton (Dan), Bartling, Broderick, Hundstad, Koetzle, McCracken, Moore, Peterson (Jim), and Schoenbeck

1 FOR AN ACT ENTITLED, An Act to revise certain provisions related to energy conservation
2 measures.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 1-33B-2 be amended to read as follows:

5 1-33B-2. For the purposes of this chapter, the term"energy conservation measure", means
6 a training program or facility alteration intended to reduce either energy consumption or
7 operating costs, or both, or increase operating revenues through the generation of energy,
8 renewable energy, or improved metering technology, including the following:

- 9 (1) Insulation of the building or any structure associated with the building;
10 (2) Window or door replacement, weather stripping, or modifications that reduce energy
11 consumption;
12 (3) Automated or computerized energy control systems;
13 (4) Replacement or modification to increase the energy efficiency of the lighting,
14 heating, air conditioning, or ventilating systems;



- 1 (5) Energy recovery or cogeneration systems;
- 2 (6) Repair or maintenance items, when included in energy efficiency improvements of
- 3 the building, if overall measures meet the ~~ten-year~~ fifteen-year payback as provided
- 4 in § 1-33B-7; ~~and~~
- 5 (7) Energy source conversions which provide either operational or energy cost savings,
- 6 or both; and
- 7 (8) Other energy or utility-related improvements in facilities, systems, or technology that
- 8 improve energy or metering efficiency or increase operating revenues through the
- 9 generation of energy, renewable energy, or improved metering technology.

State of South Dakota

EIGHTIETH SESSION
LEGISLATIVE ASSEMBLY, 2005

673L0713

HOUSE LOCAL GOVERNMENT COMMITTEE

ENGROSSED NO. **HB 1200** - 02/03/2005

This bill has been extensively amended (hoghoused) and may no longer be consistent with the original intention of the sponsor.

Introduced by: Representatives McCoy, Hanks, Kroger, and McLaughlin and Senators Gray and Dempster

1 FOR AN ACT ENTITLED, An Act to revise certain provisions permitting certain decisions of
2 a planning commission to be overruled by other public bodies.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 11-6-21 be amended to read as follows:

5 11-6-21. If the public way, ground, place, space, building, structure, or utility referred to in
6 § 11-6-19 be one the authorization or financing of which does not, under the law or charter
7 provisions governing the same, fall within the province of the council or other body or official
8 of the municipality, then the submission of such to the planning commission shall be by the
9 board or official having such jurisdiction, ~~and the planning commission's disapproval may be~~
10 ~~overruled by said board by a vote of not less than two-thirds of its entire membership or by said~~
11 ~~official.~~ If disapproved by the governing body of the municipality pursuant to § 11-6-20, such
12 disapproval may be appealed by the board or official having such jurisdiction to circuit court.



State of South Dakota

EIGHTIETH SESSION
LEGISLATIVE ASSEMBLY, 2005

619L0609

HOUSE EDUCATION COMMITTEE ENGROSSED NO.

HB 1227 - 02/03/2005

Introduced by: Representatives Bradford, Sigdestad, Valandra, and Van Norman and
Senators Hanson (Gary) and Nesselhuf

1 FOR AN ACT ENTITLED, An Act to revise certain provisions concerning the hiring by school
2 districts of persons convicted of felony drug distribution.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 13-10-13 be amended to read as follows:

5 13-10-13. A school district may refuse to employ a person, either directly or by contract,
6 who has been convicted of a crime involving moral turpitude as defined in subdivision 22-1-
7 2(25).

8 No person may be employed by a school district, either directly or by contract, if the person
9 has been convicted of a crime of violence as defined in subdivision 22-1-2(9), or a sex offense,
10 as defined in § 22-22-30, ~~or trafficking in narcotics.~~

11 Nothing in this section prohibits a school district from considering any criminal conviction
12 in making a hiring decision.

13 Section 2. That chapter 13-10 be amended by adding thereto a NEW SECTION to read as
14 follows:

15 No person may be employed by a school district, either directly or by contract, if the person



1 has been convicted of felony distribution of drugs. However, the prohibition provided for in this
2 section does not apply if:

3 (1) The person has been pardoned pursuant to chapter 24-13; or

4 (2) Seven years have elapsed since the person was released from custody and the person
5 has not subsequently been convicted of a crime involving moral turpitude, as defined
6 in subdivision 22-1-2(25).